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9 Attorneys for Plaintiff  
10 BESSIE NOE

11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 **IN RE: BEXTRA AND**  
14 **CELEBREX MARKETING,**  
15 **SALES PRACTICES AND**  
16 **PRODUCTS LIABILITY**  
17 **LITIGATION**

Case No. M 05-CV-1699-CRB

MDL No. 1699

JUDGE BREYER

18 **This document relates to:**

19 **BESSIE NOE**  
20 **Individual Case No. C 05-5414 CRB**

**STIPULATION AND ORDER OF  
DISMISSAL ONLY AS TO CASE  
NUMBER 05-6263 SJO,  
ORIGINALLY FILED IN THE  
CENTRAL DISTRICT OF  
CALIFORNIA**


21 **IT IS HEREBY STIPULATED AND AGREED** by and between counsel for  
22 Plaintiff and counsel for Defendants that the Complaint of Plaintiff, Bessie Noe,  
23 originally filed in the Central District of California, Case Number CV 05-6263 SJO,  
24 and later transferred to the MDL No. 1699, *In Re: Bextra and Celebrex, Marketing,*  
25 *Sales Practices and Products Liability Litigation*, with the assigned individual case  
26 number C 05-5414 CRB, may be and is hereby dismissed without prejudice.

The parties hereby stipulate that should Plaintiff ever re-file Plaintiff's claim, Plaintiff will only re-file in Federal Court.

The parties shall each bear their own costs.

Dated: August 21, 2006

ROBINSON, CALCAGNIE & ROBINSON

  
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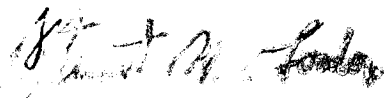
-AND-

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Dated: August 28, 2006

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*Defendants' Liaison Counsel*

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2  
3 Dated: August 30, 2006

HONORABLE CHARLES R. BREYER

